

MINUTE ENTRY jury trial day 2. Attorney Reynaldo Yana was present with plaintiff Rudy C. Aguon. Attorney Douglas Cushnie was present on behalf of Commonwealth Ports Authority along with Antonio B. Cabrera. Six regular jurors and two alternates were also present. Attorney Yana recalled witness Rudy C. Aguon. Parties went through with direct examination and cross examination. Attorney Yana also called witness Josephine P. Aguon. Parties went through with direct examination and cross examination. Attorney Yana moved to have the following exhibits moved into evidence:

Exhibit 1,4,9,15,17,21,22,23,26,28 and 31. There being no objections to all except for exhibit 31, Court received all exhibits including exhibit 31. Plaintiff rested their case at 9:35am. Court excused jurors at 9:36am. Out of the presence of the jury, defense moved for judgment as a matter of law in a jury trial; Rule 50. Attorney Yana argued on behalf of the plaintiff. Court found that there was legally sufficient evidence for a jury to decide; therefore, the Court denied the Rule 50 motion to dismiss. Jurors returned to the courtroom at 10:00am. Defense called witness Artemio I. Guerrero. Parties went through direct examination, cross examination, re-direct examination. Defense also called witness Mitchell Aaron. Witness was referred to exhibit L,M,N,O,V,P,Q,R,S,. Court recessed at 10:55am. for morning break and reconvened at 11:13am. Attorney Yana began cross examination of witness Mitchell Aaron. Court recessed at 11:40am and reconvened at 2:15pm. Defense called witness Antonio B. Cabrera. Defense rested their case at 3:40pm. No rebuttal by plaintiff. Court excused the jurors for the evening at 3:41pm. and jurors were admonished not to talk with anyone regarding the case; not to read any newspaper articles about the case or listen to any radio broadcasts concerning it. Jurors were ordered to return to the Court at 9:00am. to continue with the trial. Out of the presence of the jury, defense again moved for a Rule 50 -judgment as a matter of law. Plaintiff argued against a Rule 50 judgment. Court denied the motion.; [MCM EOD 05/08/2001]